IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INCOME TAX APPEAL NO.85 of 2005

The Commissioner of Income Tax
13 Mumbai .. Appellant

vs

Jaysing V.Mariwala .. Respondent

Mr.A.S.Rao for Appellant

Mr.A.K.Jesani for Respondent

CORAM : F.I.REBELLO AND
R.S.MOHITE, JJ

DATED : 4TH DECEMBER, 2007

P.C.

1. Question No. (B) as framed does not arise from the order of the tribunal. In so far as Question No. (a) is concerned there are two concurrent findings of facts in favour of the assessee. No question of law as framed would arise. In view of Question No.(A) Question No. (C) will not arise. Consequently, there is no merit in this appeal. It is accordingly dismissed.

(F.I.Rebello, J)

(R.S.Mohite, J)